

HOUSE BILL NO. 261
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BROWN, Navarre, Sitton

Introduced: 3/29/93

Referred: Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to telephone directory listings and solicitations."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 45.50.471(b) is amended by adding a new paragraph to read:**

4 **(33) failing to comply with AS 45.50.475.**

5 *** Sec. 2. AS 45.50 is amended by adding a new section to read:**

6 **Sec. 45.50.475. UNLAWFUL TELEPHONE SOLICITATION IF PARTY**
7 **IDENTIFIED IN TELEPHONE DIRECTORY. (a) A person is in violation of**
8 **AS 45.50.471(b)(33) if the person engages in the telephone solicitation of a party and**
9 **that party is identified in the party's telephone directory as a party that does not wish**
10 **to receive telephone solicitations.**

11 **(b) A local exchange telecommunications company and a company that**
12 **provides a telephone directory on behalf of a local exchange telecommunications**
13 **company shall provide for the identification of those parties in a telephone directory**
14 **who do not wish to receive telephone solicitations.**

1 (c) Local exchange telecommunications companies shall inform parties of the
2 provisions of this section. Notification may be made by

3 (1) annual inserts in the billing statements mailed to parties; or

4 (2) conspicuous publication of the notice in the consumer information
5 pages of local telephone directories.

6 (d) In this section,

7 (1) "party" means a residential telephone customer of a
8 telecommunications company;

9 (2) "telephone solicitation"

10 (A) means the solicitation by a person by telephone of a party
11 at the residence of the party for the purpose of encouraging the party to
12 purchase property, goods, or services, or make a donation;

13 (B) does not include

14 (i) calls made in response to a request or inquiry by the
15 called party;

16 (ii) calls made by a charitable organization, a public
17 agency, or volunteers on behalf of the organization or agency to
18 members of the organization or agency or to persons who have made
19 a donation to the organization or agency or expressed an interest in
20 making a donation;

21 (iii) calls limited to polling or soliciting the expression
22 of ideas, opinions, or votes;

23 (iv) business-to-business calls; or

24 (v) a person soliciting business from prospective
25 purchasers who have previously purchased from the person making the
26 solicitation or from the business enterprise for which the person is
27 calling.